

What Sex Offenders Can Teach Us About Interviewing.

Cory Jewell Jensen, M.S., CCSOT & Detective John Krummenacker

One hundred and twelve adult male sex offenders and 26 child abuse detectives were questioned about a variety of topics related to suspect interview strategies and offender decisions to deny, admit or fully confess. Results suggest that personality style and previous experience play a role in confession rates for offenders and that investigator personality and interview style are also crucial.

Part I.

As noted above, 112 adult male sex offenders participated in semi structured interviews focused on the police interview that resulted in their arrest and in most cases, long-term incarceration. The majority of subjects were child molesters (62%), while others had been convicted for statutory rape (12%), rape (11%), child pornography (9%), and exhibitionism (6%). At the time of interview, all of the offenders were involved in court mandated sex offender treatment in Oregon. During the process, each offender was asked to describe, from his point of view, how he was approached by police, what transpired during the interview, the specific thoughts or concerns he had during the interview and the reason he confessed, declined to be interviewed, or lied. As opposed to most studies, where confession rates cluster around 30% (Lippert, Cross, Jones & Walsh, 2010), more than half of the participants said they admitted a portion of their crimes and some said they “told police everything.” The authors surmised that the higher confession rate among this particular group was most likely related to the manner in which the offenders were selected for inclusion as the offenders who participated volunteered as part of a community service project and may have been more cooperative in general.

During the interview, each offender was questioned about their perceptions of the detective’s personal style of rapport building and line of questioning. Offenders were also asked about incidental things, such as the impact of note taking, audio recording, the presence of an additional officer in the room, and the outcome of being interviewed at the police station or in the field. Of the men who appeared to have “mostly” or “fully” admitted during the investigation, several said they felt “relieved” by the process and knew they “needed help to stop offending.” Two men reported that they turned themselves in after being caught by family members and one man contacted police after talking making a partial admission to his pastor. Some of the “admitters” stated that police helped them understand that lying would cause additional harm to their victims, while others reported feeling concerned about the additional consequences they might face if they refused to admit what they’d done (longer sentences, family disappointment or “I’d go to hell.”).

Their comments were similar to the findings of a particularly comprehensive Australian study done by Kebbell, Hurren and Mazerolle (2006) during which the majority of sex offenders who confessed perceived the investigator as “ethical” and displaying “more humility” than those who denied. The confessors also perceived the officer as having displayed less dominance than those who denied. O’Conner and Carson (2006) also found that sex offenders were more likely to confess if the officer seemed “qualified and professional,” “trustworthy,” and “understanding and empathetic.”

During the present survey, most of the admitters reported that officers approached them in a “calm and friendly, but business-like manner,” and treated them “with fairness and respect.” The admitters also reported that “guilt” and “self-preservation” were important factors related to their willingness to confess and several commented that officers helped them understand “there was “more to gain by being honest.”

The deniers, men who refused to be interviewed, or requested an attorney indicated that “nothing” the officer did or said “could have gotten me to admit it” because they “knew there was more to lose by admitting.” Some said they “knew the game going in” and reported feeling threatened or belittled by police.

The below quotes were taken directly from the interviews.

Admitters group:

I was already starting to feel bad about it, so when the cop told me he could tell I was struggling and probably didn’t know what to do, I opened up.

They came in and caught us together. One cop took her in the other room and started questioning her while the other one kept me in the living room. I could hear the cop talking to her. He was talking to her about being a rape victim. I knew the way he was talking to her was going to screw her up more, so I confessed so he’d stop talking to her.

The cop gave me a way out. He said he knew how these things happen and why guys do it. He seemed to understand.

It’s funny, I knew the tape recorder was on, but after a while, I forgot about it.

They told me they weren’t there to find out if I did it, just why I did. They were actually pretty pleasant.

They had so many details about what happened there just wasn’t much point in lying.

If it had just been one girl I would have lied, but I knew it wouldn't work to say both of them were lying.

He told me he wasn't there to judge me and I was tired of living a lie.

They had the victim call me while they recorded me. I knew it was being recorded but I still admitted. I couldn't call her a liar on the phone.

I knew they had DNA so there was no point.

He was cool, he had me meet him at Starbucks and it seemed so non-threatening that I guess I didn't really understand what was happening.

He was straightforward with me and didn't seem fake at all. Now I know he probably was.

I told him because what I'd been doing was wrong and I knew it was, I was sorry.

I don't know why, but I felt like I was disappointing him when I lied, so I told.

There were two of them, even though I knew they were doing that good cop/bad cop thing, I still told the nice one everything.

The cop told me what would happen to the victim if I lied. That she would have to go to court and testify in front of people. I just couldn't do that.

The cop told me lying would only hurt my family more.

I knew I was hurting my victim but I didn't know how to stop. I guess I was relieved when the cops showed up. I needed someone else to stop me.

I told my pastor first, who called the police and asked for an officer to come to our church and talk to me. I felt better with my pastor there and it was really good of the cop to come to the church. I could tell he was a Christian.

He told me that there was help for me and my victim would get help too.

They told me they had everything they needed and just wanted to hear my side for the record.

For a detective, he was polite and friendly. He was easy to talk to, just like a friend.

I just wanted to get it over with.

He took his time with me. He was patient and really seemed to want to see it from my point of view. Even though I knew he was doing his job, he treated me fair.

She made me sing like a canary. She convinced me it was no big deal, said she was just taking a statement and put me at ease.

He warmed me up first, really got to know me, made me feel at ease.

I was worried about what he thought about me, I didn't want him to think I was a pervert or some kind of predator.

They had my computer, what else could I say?

I knew that calling her a liar would make me look like an ass.

They made me feel trapped, like I didn't have any choice but to tell. They said if I didn't cooperate, they would arrest me and I believed them.

While they were talking to me they said they understood how someone could do something like that, I didn't feel like such a monster.

They interrogated me for four hours, told me they knew I was lying. I think they just wore me down.

He took me outside and talked to me there. He didn't embarrass me in front of my family, he let me save my self-respect and I felt like I owed him.

Deniers Group:

I'd been arrested before so I knew what would happen if I talked. There was nothing he could have said or done that would have made any difference.

The more frustrated he got, the more fun I had. I loved watching him squirm.

The minute he turned on that tape recorder, I clammed up.

They played a bunch of word games and kept trying to trip me up.

The whole time I was sitting there, I knew it would ruin my whole life and I knew they didn't care at all.

They put me in the ice box to scare me. I knew what they were doing. They must have thought I was stupid but I didn't fall for that.

My life was already in shambles. One more person threatening me wasn't going to make any difference.

I was not going to tell them anything. I knew I'd lose my job, my career, my family, my house, and everything else I owned. My fear kept me lying and denying.

He thought he was so was slick. He thought he knew all the tricks and threats. He had his hand on his gun during the whole interview. I despised him and wouldn't have told him anything.

He was a jerk, he harassed me at work, threatened to talk to everyone I knew and said he'd get me, sooner or later. I figured I'd just wait him out.

He harassed me at work, made promises he never kept, lied about what I said.

He almost had me but he gave up too soon.

I knew the more I told, the longer I'd do. So I only admitted what they knew.

What Works: Basic Tips for Child Abuse/Sex Crime Investigators

PART II

In addition to the surveys conducted with the offenders, 26 police officers from nine law enforcement agencies in Oregon were asked to describe what they believed were the most effective investigation and interview strategies they used with sex offenders. Some of the officers were interviewed individually, while others participated in group discussions. The participants were seasoned detectives who brought a wealth of experience, expertise, and passion to the discussion. Throughout the process, it was evident that most of the officers had great insight into offender etiology, belief systems and behavior. The officers also reported that they benefited from each year of experience, and had been able to maintain a sense of humor despite daily contact with some of society's most repugnant citizens. Each detective described the techniques he/she used when investigated sexual offenses and provided examples of interview strategies. At the end of this article is a list of the officers who participated in these discussions. To be sure, they are some of Oregon's finest.

Advice from investigators:

1. For most officers, it takes at least two years to understand sex offenders and become “comfortable and skilled enough” to openly interview people about sex and sexual offending. Rotating detectives out of sex crimes after two years is not recommended.
2. Watch and listen to as many interviews by more experienced officers as you can. Adapt what works for them to fit you/your style. “No one style works for everyone.”
3. Develop the case as much as you can “before” you interview the offender. The more you know about them ahead of time, the quicker you can “get in their head.” Know where they live, what they do, how long they have been married, what kind of hobbies they have, if they were in the military, etc.
4. Get clear, concise victim statements with details that can be corroborated. Any thing that corroborates the victim’s statement helps, even if it relates to the furniture in the room, the time of day it was or where other people were. Ask the victim if anyone saw it happening, if the victim told anyone else, if the victim thinks it might have happened to anyone else.
5. Find out related information that can be used during the suspect interview, i.e. the victim’s school performance, relationships with family members, friends, helpful around house, etc. If the suspect cares about the victim, ask him if he/she is a liar and what should happen to the victim for lying.
6. Interview other family members, look for/ask about other victims, prior allegations/family history of sexual deviancy/offending, child abuse or domestic violence.
7. Check criminal history, ask witnesses about drug use, pornography, computer usage, anything that might be linked to offending.
8. If possible, conduct pre-text phone call. Review the procedure with the victim ahead of time and talk about possible things to ask/say. “The police are coming to talk to me, what should I tell them?” Or, “Why did you do that to me?”
9. The interview setting: field vs. office vs. phone. Home or work setting might “help them feel more comfortable,” but might allow them to feel “too comfortable.” Get a sense of what will work in this case. Suspect might talk more on the phone.

10. If you are interviewing them at the station and do not plan to arrest them, have them sign in on "visitor's log," give them a visitor's badge and offer them a drink. Let them know they are "free to leave at any time," you will "not be arresting them, this is just a preliminary discussion" to "gather more information."
11. Introduce yourself with, "I am a police officer, I'm here to investigate a complaint, have you done anything to offend anyone?" "Do you know what this might be about?" If you are in the home, look for things that are out of place, porn, children's story books/videos (if single), computers and other devices.
12. Before you start talking about the sex crime, ask about the suspect's family constellation, "how they get along" with everyone, who lives in the home, how everyone else gets along, what the children are like (school work, chores, relationships, behavioral problems of any kind?). If they were complimentary about the child, it will make it harder for them to call the child a liar or "bad kid" later."
13. Attempt to build rapport, "find something you have in common, be patient, and go with the flow." Make them feel like you care about what they have to say. "Help me understand your side." Remember, this is "reverse grooming."
14. If using two detectives, one should take notes while the other takes the lead position as the interviewer. If it's not working, make a subtle switch. Learn from each other. Pick someone you work well with and develop your joint style/tag team.
15. Wear them down. If one of you starts to get tired, "switch off and start asking the questions you came up with while you were taking notes."
16. If you have a one-way mirror, use it. If the observer sees/hears something the interviewer might be missing, "text message or call them on their cell phone." If you have/can use an ear bud, "all the better."
17. Let the suspect keep his cell phone. At some point, leave the room, "then listen in on who he calls and what he says."
18. Let them believe you "understand" them, how and why they did what they did, that you've heard everything before and "nothing they tell you will surprise or shock you."
19. "Put your own spin on it." Learn what works for you, how to develop themes, when to challenge them and "when to step back."
20. Be respectful and likable. "Don't be arrogant, cocky or judgmental."

21. "It's all about helping them minimize what they've done or shift the blame onto someone or something else." Tell them this looks like it could be a "one time" or isolated incident, not a deeper pattern of behavior.
22. If you feel the "L" word coming on, slow things down, tell them to stop and listen to you for a while. Then do your best to repeat where you are with them, what you think about the case, what would be best for them. Do not let them deny it if you can help it. Once a suspect lies, he has painted himself into a corner. Cut him off before he does it.
23. Props - have a notebook with the case # and the suspects name and picture on the front, periodically review what's inside, even if it's blank paper. Do not let them see it's blank.
24. Don't over commit, don't get caught pretending you have more information than you do. Don't lose your credibility.
25. Avoid the "tennis match." "No I didn't, yes you did, no I didn't..."
26. Don't let them get off track too far, re-direct them back to the allegation and resume questioning.
27. If you are going to cuff them, cuff them with their hands behind their back, as they open up, move the cuffs to the front. When they start telling more, possibly remove the cuffs. Reward talking and honesty.
28. Don't give up too early. Don't stop the interview unless they ask for a lawyer or make a confession. Once they make a confession, get details and ask about other victims. Typical interviews take two to three, maybe even five hours.
29. Don't have a young cop interview an old suspect.
30. Don't threaten to do things you can't back up.
31. Make everyone else, including other sex offenders, look worse than they are. Most of these suspects are extremely narcissistic.
32. Can drugs or alcohol be used as a theme or excuse?
33. Tell the suspect you deal with a lot of really, really bad people and that he/she does not seem to be one of those people.

Types of interview lines: “Some will talk, some will walk.”

Look everybody has problems, some people drink, some gamble, some beat their wives and others have problems touching kids, it's not like you're a murderer or a rapist. You aren't that kind of person. It looks to me like you just made a mistake here.

It's not like you are some freak, running around raping kids on the playground or something.

It's easy to understand how these things happen, just look at all the sex in society today. Everybody's having trouble with it, just look at news. Plus, she is a really attractive young girl.

I've seen way worse stuff. What this is just isn't all that big a deal. It's just touching. It wasn't like you were trying to hurt them.

We have all done things that get out of control in our lives, urges you just can't control.

Let me help you make this right.

I don't want to make any mistakes about what you are saying.

To other cop, “Hey, I don't think you are really hearing him. I think what he's trying to say is...”

A lot of eight and nine year old girls are developing earlier and know more about sex these days. I can see how someone might get themselves in trouble this way.

Did you do this a lot, or just once? Did you penetrate, or just rub?

I know you must really care about her because I could tell by the way she talked about you, she really cares about you. She isn't mad at you, she doesn't want anything bad to happen to you, she doesn't want you to be mad at her, she just wanted it to stop.

If we thought you were a dangerous person, we wouldn't be having this conversation, we'd be arresting you. We know you aren't like those other guys.

In these kinds of cases, we just want to get both sides of the story.

Is there anyway he could have misunderstood something you did, did you ever wrestle with her, help him wash herself, have him sit on your lap, hug him too long?

Maybe your hand slipped while you were tucking her in?

Maybe the kid's been molested by someone else. Any prior abuse you know of? Any sexualized behavior you noticed? Maybe the kid started it. Did he/she ever grab your crotch, kiss you too much? Maybe he/she liked it. I can see how it might have felt good.

She's a teenager and I could see how she might have been attracted to a guy like you.

So why do you think she'd say that? Why would a kid make something like that up? So are you saying the kid is a liar? What do you think should happen to the victim for lying?

I know you are a man and want to do what a man would do, take responsibility for what happened. You aren't the kind of man who would lie, or blame the kid are you? You want your family to be able to respect you when this is all over. To do that, they need to know you told the truth, you stepped up. You have to set an example for your boys.

Are you religious, oh, a Catholic? So am I, were you an altar boy too? You learned about sin and what happens to people who sin right? They go to hell forever. What could you do to avoid that right now? Or, I hear you were in the military, what would Oliver North say you should do?

Look, lots of guys your age experiment with other guys, it's not about being gay, it's just about curiosity, doesn't mean you are gay or anything.

So how's your sex life at home? That bad? Well, no wonder, then it's really her fault. Man, I know how that goes, after that long, hell, even when the wind blows you get a hard-on.

Think about it this way, imagine you're on a jury and you have to watch this poor little kid testify about being molested. Then, you hear this guy come in with all the excuses and bullshit you're giving me, who would you believe?

Most people know that kids lie to keep themselves from getting in trouble, not about stuff like this. Most kids don't even want to talk about this kind of stuff, everybody knows that.

Look, you seem like a smart guy. You don't seem like one of those guys who doesn't know what's in his best interest. You don't want to brand yourself a liar.

You need to know that when I write my report, I'm going to write either, he denied it at first, but the more we talked, the more he told the truth and finally did the right thing, or, I talked to this guy for three hours and he just kept lying to me.

You already admitted that she's a good kid, does well in school, helps around the house and no you're telling me she's a liar and would set you up like this?

It's ok if you change your story as we go along. I know it's hard to admit these kinds of things and talk about them. As you get to feeling more comfortable it will be easier to talk about and I won't think badly of you for that.

I want to make sure I understand what you are saying. (Then repeat back lies). How do you think that sounds? Doesn't that sound ridiculous to you? Do you think anyone would believe that load of crap? Do I look that dumb? Are we done lying yet?

Look, think about this, six months from now, a lot of people are going to read these reports and have to make decisions about you. They will have to decide what kind of person you are. Do you want them to think you are a liar, or someone who knows they made a mistake and was trying to make things right.

What, you weren't ever even alone with her? Why don't you just stop there, I've given you an opportunity to come clean with me and tell the truth, if you keep lying, I'm going to walk out of this office and the interview will be over, is that what you want?

Your lies are making you look worse than I thought you were. Are you sure you want to keep going down this path?

So, what you're telling me is that you were trying to teach her about sex, right? I could see how it might seem like it's better for a kid to learn about that from someone close, someone who cares. Is that what you were trying to do? I've been doing this for a long, long time, I'm probably the only person who can understand how you got yourself in this situation.

A lot of men like you had trouble when they were a kid, got too involved in sex, maybe got abused, started touching kids this way and it just became a way of life. I bet you've been dealing with this for a long, long time. You probably just need the right kind of help.

Apology letters:

I bet you'd feel a whole lot better about yourself if you wrote her a letter apologizing for what happened between the two of you. It would also show that you know what you did is wrong and people will think better of you for doing that. If you could get a message to the victim, what would you say?

At end of interview:

What do you think should happen to you? So, why did you tell me all this stuff?

Officers Interviewed For This Project:

Detective Nick Amendolara, West Linn Police Department,
Detective Todd Baltzell, Newberg Police Department,
Detective Michael Boyd, West Linn Police Department,
Sergeant John Brent, Lake Oswego Police Department,
Detective Eric Carter, Portland Police Bureau,
Detective Tyler Chapman, Marion County Sheriff's Office,
Detective William Crockett, Portland Police Bureau,
Detective Maurice Delehant, Clackamas County Sheriff's Office,
Detective Jeff Green, Clackamas County Sheriff's Office,
Detective Michelle Finn, Clackamas County Sheriff's Office,
Detective Christie Fryett, Clackamas County Sheriff's Office,
Detective Todd Hargrove, Linn County Sheriff's Office,
Sergeant Randy Harris, Clackamas County Sheriff's Office,
Detective Geary Hellman, Clackamas County Sheriff's Office,
Special Agent, Ben Hicks, Department of Justice,
Detective Brandon Kaopuiki, Gresham Police Department,
Detective Robert Lee, Lake Oswego Police Department,
Sergeant Patrick Kelly, Portland Police Bureau,
Detective Karen Mack, Portland Police Bureau,
Detective Darrell Miller, Portland Police Bureau,
Detective Jeff Miller, Gresham Police Department,
Detective Michael Perry, Portland Police Bureau,
Criminal Investigator, Micah Persons, Department of Justice,
Detective James Peterson, Lake Oswego Police Department,
Detective Bobby O'Donnell, Multnomah County Sheriff's Office,
Detective John Russell, Portland Police Bureau.

References:

Kebbell, Hurren & Mazerolle (2006). An Investigation Into the Effective and Ethical Interviewing of Suspected Sex Offenders. *Trends & Issues in Crime and Criminal Justice*, No. 327, Nov. 2006.

Lipert, Cross, Joones & Walsh (2010). Suspect Confessions of Child Sexual Abuse to Investigators. *Child Maltreatment*, Vol. 5, No.2 161-170.

O'Conner, T., & Carson., w. (2005) Understanding the Psychology of Child Molesters: A Key to Getting Confessions. *The Police Chief*. Vol. 72. No. 12.

Cory Jewell Jensen, M.S.
CBI Consulting
Coryjjensen@gmail.com

John Krummenacker, Detective
Homicide and Violent Crimes Unit
Clackamas County Sheriff's Office
223 Kaen Rd. Oregon City, Oregon 97045

